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 10 G & G Closed Circuit Events, LLC

11 8/18/2011

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15 G & G CLOSED CIRCUIT EVENTS, LLC, CASE NO. 5:10-CV-05715-EJD

16 Plaintiff,

17 vs.

18 HUONG XUAN THI NGUYEN, et al.

19 Defendant.

20 PLAINTIFF'S EX PARTE
 21 APPLICATION FOR AN ORDER
 22 VACATING THE CASE
 23 MANAGEMENT CONFERENCE; AND
 24 ORDER (Proposed)

25 TO THE HONORABLE EDWARD J. DAVILA, THE DEFENDANT, AND THEIR
 26 ATTORNEYS OF RECORD:

27 Plaintiff G & G Closed Circuit Events, LLC hereby applies *ex parte* for an order vacating the
 28 Case Management Conference in this action, presently set for Friday, August 26, 2011 at 1:30 P.M.
 This request will be, and is, necessitated by the fact that Defendant Huong Xuan Thi Nguyen,
 individually and d/b/a Bun Rieu 1 a/k/a Quan Huang is in default¹ and Plaintiff's Application for
 Default Judgment is presently set to be heard before the Honorable Edward J. Davila on December
 16, 2011 at 9:00 A.M.

¹ As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

1 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court vacate the Case
2 Management Conference presently scheduled for Friday, August 26, 2011 at 1:30 P.M. or conduct the
3 conference on the same date the hearing on Plaintiff's Application for Default Judgment in order that
4 Plaintiff and its counsel may avoid unnecessary fees and costs in this matter.

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Respectfully submitted,

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Dated: August 16, 2011

/s/ Thomas P. Riley

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LAW OFFICES OF THOMAS P. RILEY, P.C.

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By: Thomas P. Riley

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Attorneys for Plaintiff

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G & G Closed Circuit Events, LLC

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IT IS SO ORDERED.

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The request to continue the conference is DENIED. The Court ordered at the June 8, 2011 Case Management Conference that Mr. Riley personally appear at the August 26, 2011 Case Management Conference.

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Dated: August 18, 2011



Edward J. Davila

United States District Judge

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